

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE**

**In re:**

**Leisure Time Warehouse, Inc.,**

**Debtor**

**Chapter 11  
Case No. 08-11636-MWV**

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**EX PARTE APPLICATION FOR ORDER  
APPROVING APPOINTMENT OF CHAPTER 11 TRUSTEE**

(Michael S. Askenaizer, Esq.)

To the Honorable Mark W. Vaughn, Chief United States Bankruptcy Judge:

Pursuant to 11 U.S.C. § 1104(d) and Rule 2007.1 of the Federal Rules of Bankruptcy Procedure, the United States Trustee hereby applies to the Court for an order approving the appointment of Michael S. Askenaizer as chapter 11 trustee in this case. In support thereof, the United States Trustee respectfully submits as follows:

1. On June 3, 2009, the Court issued an order directing the United States Trustee to appoint a chapter 11 trustee in this case forthwith. *See* Court Docket No. 172.
2. Pursuant to 11 U.S.C. § 1104(d), the United States Trustee seeks the Court's approval of the appointment of Michael S. Askenaizer as chapter 11 trustee.
3. Mr. Askenaizer has substantial experience in reorganization and liquidation proceedings and currently serves on the panel of trustees established by the United States Trustee.
4. To the best of the United States Trustee's knowledge, Mr. Askenaizer has no connection with the debtor, creditors, any other parties in interest, their respective attorneys and accountants, the United States Trustee, or persons employed in the Office of the United States

Trustee, except that Mr. Askenaizer currently serves on the panel of trustees established by the United States Trustee.

5. The United States Trustee has consulted with the following parties in interest regarding the selection of a chapter 11 trustee in this case:

- William S. Gannon, Esq., counsel for debtor Leisure Time Warehouse, Inc.;
- Peter N. Tamposi, Esq., counsel for landlord/creditor Kesseli Energy Systems LLC;
- John M. Sullivan, Esq. and Joshua E. Menard, Esq., counsel for creditor Dimension Industries Co., Ltd.

WHEREFORE, the United States Trustee requests pursuant to 11 U.S.C. § 1104(d) and Rule 2007.1 of the Federal Rules of Bankruptcy Procedure that the Court enter an order approving the appointment of Michael S. Askenaizer as chapter 11 trustee in the above-captioned matter.

Respectfully submitted,

PHOEBE MORSE  
UNITED STATES TRUSTEE

Dated: June 5, 2009

By: /s/ Ann Marie Dirs  
Ann Marie Dirs BNH#06121  
Office of the United States Trustee  
1000 Elm Street - Suite 605  
Manchester, NH 03101  
(603) 666-7908

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Appointment of Chapter 11 Trustee, Ex Parte Motion to Approve Appointment of Chapter 11 Trustee, proposed Order, and Affidavit upon the following by CM/ECF:

William Gannon, Esq.  
Mary Keohan Ganz, Esq.  
Daniel R. Hartley, Esq.  
Charles W. Grau, Esq.  
Peter N. Tamposi, Esq.  
R. Carl Anderson, Esq.  
Christine W. Casa, Esq.  
William F. Martin, Esq.  
Joshua E. Menard, Esq.  
Steven M. Notinger, Esq.  
John M. Sullivan, Esq.

/s/ Ann Marie Dirs  
Ann Marie Dirs

Dated: June 5, 2009